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February 26, 2003



VIA UPS OVERNIGHT DELIVERY

Vernon Williams, Secretary
Surface Transportation Board
1925 "K" Street, N.W.
Washington, DC 20423-0001

RE: Docket AB-33 (Sub-No.190X), Union Pacific Railroad Company -
Abandonment Exemption - In Dunn County, WI
(Menomonie Industrial Lead)

ENTERED
Office of Proceedings

FEB 27 2003

Part of
Public Record

Dear Mr. Williams:

The purpose of this letter is to request that the Board modify the "historic preservation" condition imposed by the Board's decision served February 7, 2003. The condition, as imposed, requires that Union Pacific Railroad Company ("UP") take no steps to alter the historic integrity of the Line in its entirety until the completion of the Section 106 process of the National Historic Preservation Act. UP requests that this condition be limited to the two bridge structures which the Wisconsin SHPO referenced as D-3 and D-5, located at mileposts 2.12 and 2.38, respectively.

We are unclear as to why a condition covering "the line in its entirety" was imposed, as such a broad condition does not appear to have been requested by anyone. I have attached to this letter a copy of the Wisconsin SHPO's letter of July 9, 2002. As can be seen, the SHPO did not claim that the "line in its entirety" was potentially eligible for inclusion in the National Register of Historic Places, or request that a historic preservation condition be imposed on the "line in its entirety". The only potentially "eligible" structures the SHPO identified were the two bridges described above. Accordingly, the condition should be limited to these two structures.

Mack H. Shumate, Jr.
Senior General Attorney, Law Department

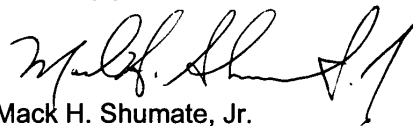
UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718
ph. (312) 777-2055 fx. (312) 777-2065

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Mr. Vernon Williams
Surface Transportation Board
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The UP realizes that the comment period for Environmental Assessment ended on February 3, 2003. However, this issue did not come to the attention of the proper officers of UP until last week. UP apologizes for its delay in responding to the Environmental Assessment.

An original and ten (10) copies of this letter are enclosed for the Board's files.

Sincerely yours,



Mack H. Shumate, Jr.
Senior General Attorney

Enclosures

cc: Wisconsin Historical Society
Headquarters Building
816 State Street
Madison, WI 53706-1482

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WISCONSIN
HISTORICAL
SOCIETY

Headquarters Building
816 State Street
Madison, WI 53706-1482
608-264-6400

July 9, 2002

Charles W. Saylor
Union Pacific Railroad Company
1416 Dodge St.
Omaha, Nebraska 68179

Case No 02-0639
RE Docket AB-33 (Sub-No.190X) Dunn Co, WI

Dear Mr. Saylor,

Based on the digital images you enclosed with your letter of June 19, 2002, we believe that it is possible that both structures D-3 and D-5 could be eligible for inclusion in the National Register of Historic Places. As agent for the Surface Transportation Board it is your (joint) responsibility to prepare sufficient documentation to determine if these bridges meet the National Register criteria in consultation with our office (36 CFR 800.4 b and c). We look forward to reviewing the documentation on these structures when it has been prepared.

In the interim, if there are any questions on this matter, please contact me at (608) 264-6509.

Sincerely,

Richard W. Dexter
Chief, Office of Preservation Planning

